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November 17, 2000

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RE: In the Matter of Application of SBC Communications Inc. Pursuant to Section 271 of the Telecommunications Act of 1996 To Provide In-Region, InterLATA Services in Kansas and Oklahoma; CC Docket No. 00-217

OKLAHOMA CORPORATION COMMISSION'S RECOMMENDATION AND INITIAL COMMENTS

On October 26, 2000, SBC Communications Inc. and its subsidiaries, Southwestern Bell Telephone Company and Southwestern Bell Communications Services, Inc., d/b/a Southwestern Bell Long Distance, (collectively, Southwestern Bell) filed a joint application for authorization to provide in-region, interLATA service in the States of Kansas and Oklahoma, pursuant to Section 271 of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 271. In accordance with the Public Notice in this docket released October 26, 2000, the Oklahoma Corporation Commission (the OCC) hereby submits its initial comments to the Commission and recommends approval of the Oklahoma portion of the joint application, subject to the conditions set forth by the OCC in the OCC's orders issued in PUD 970000560. This recommendation is the OCC's consultation with the Commission, as provided for in Section 271(d)(2)(B) of the Act, 47 U.S.C. § 271(d)(2)(B).

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The OCC's findings and conclusions relating to the fourteen checklist items are set forth in detail in its Order No. 445180, attached hereto and labeled as "Attachment A". Also attached hereto is the OCC's Order Nunc Pro Tunc, adopted October 4, 2000, Order No. 445340, correcting two errors in Order No. 445180, which is labeled as "Attachment B". Several parties to the proceeding filed various motions after the entry of Order No. 445180 and Order No. 445340. On October 18, 2000, the OCC, *en banc*, heard arguments on those motions, including motions to clarify, motions to reconsider, and motions to set aside orders. On October 20, 2000, the OCC entered Order No. 445855, attached hereto as "Attachment C". This Order on Motions Regarding Final Order No. 445180 and Order Nunc Pro Tunc No. 445340, denied all motions to set aside the previous orders but ordered that Southwestern Bell should modify the Oklahoma 271 Agreement (O2A) to conform it to the requirements of Order Nos. 445180 and 445340. On October 24, 2000, Southwestern Bell made the conforming filing as required by Order No. 445855, and the O2A is now available to any Oklahoma CLEC that chooses to adopt it and to compete pursuant to its terms. "Attachment E" contains the conformed O2A. Additionally, certain optional appendices as well as reasonably connected provisions to the O2A are available to CLECs not opting to take the entire O2A.

The OCC believes that the entry of Southwestern Bell into the long distance market will benefit not only long distance markets within Oklahoma, but will also encourage competition in the local exchange market in Oklahoma. The OCC believes that the end-users in Oklahoma will receive the ultimate benefit of Southwestern Bell and other carriers entering the market.

The evidence presented to the OCC supports the conclusion that Southwestern Bell has entered into one or more binding agreements with facilities-based competitors to provide these competitors access to and interconnection with Southwestern Bell's network facilities so that they may provide telephone exchange service to residential and business subscribers, 47 U.S.C. § 271(c)(1)(A) (the "Track A" requirement) and that Southwestern Bell provides such access and interconnection by satisfying each of the fourteen separate requirements of the competitive checklist. The OCC's detailed findings are set forth in Attachment A hereto.

Order No. 445855, (Attachment C) directed the Staff to conduct a technical conference with the parties regarding the O2A and file a report on the technical conference with the OCC. Said Staff report on the technical conference is attached hereto as "Attachment D".

Since the time that the OCC issued Order No. 445180, the Commission has established a procedural schedule for Cause Nos. PUD 200000169 and 200000249 regarding rates for collocation with Southwestern Bell's facilities in Oklahoma. Therefore, in addition to the interim collocation rates being subject to true-up for only 6 months past September 28, 2000, as set forth at Page 164 of Order 445180, the OCC anticipates that a final order will be issued to establish permanent collocation rates in Oklahoma, no later than March 12, 2000.

Southwestern Bell's Oklahoma interim rates for line splitting and line sharing are also subject to true-up for only 6 months past September 28, 2000, as set forth at page 182 in Attachment A. The OCC intends that the permanent rates for line splitting and line sharing will be established prior to the expiration of the 6 month true-up limitation.

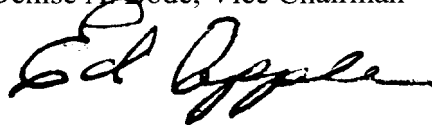
In summary, based on the findings and conclusions set forth in its Order Nos. 445180, 445340, and 445855, all of which are attached, the OCC unanimously recommends that the Commission approve Southwestern Bell's request for authorization to provide in-region interLATA services in the State of Oklahoma, subject to the conditions set out in Order No. 445180 and Order Nunc Pro Tunc No. 445340.

Sincerely,


Bob Anthony, Chairman



Denise A. Bode, Vice Chairman



Ed Apple, Commissioner

Enclosures

cc: Layla Seirafi-Najar – Department of Justice
Katherine Brown, Esquire – Department of Justice
Donald J. Russell – Department of Justice

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